

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DANNY WENG; CHRISTOPHER HART;
MARKUS VALLASTER; SARAH ZESCH;
JOHN STANTON; MICHAEL GOULD; and
COMMONWEALTH SECOND
AMENDMENT, INC.,

Plaintiffs,

-against-

WILLIAM B. EVANS, in his Official Capacity
as Commissioner of the Boston Police
Department; and DANIEL C. O'LEARY, in his
Official Capacity as Chief of the Brookline
Police Department,

Defendants.

CIVIL ACTION NO.
1:16-cv-10181-FDS

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1 of this Court, Plaintiffs Danny Weng, Christopher Hart, Sarah Zesch, John Stanton, Michael Gould, and Commonwealth Second Amendment, Inc., hereby move for summary judgment against Defendants William Evans and Daniel O’Leary as follows:


1. declaratory judgment that Defendants' policies and/or practices of withholding unrestricted Licenses to Carry Firearms ("LTC's") violates Plaintiffs' Second Amendment right to keep and bear arms;
2. an injunction directing Defendants to re-issue unrestricted LTC's to each individual Plaintiff;
3. an injunction directing Defendants to refrain from issuing LTC's subject to "Target & Hunting" restrictions or other restrictions that would preclude the bearing of functional handguns for protection; and,
4. such other, alternative, and/or further relief as the Court finds just or equitable.

In support of this motion, Plaintiffs rely on the pleadings, Plaintiff's Rule 56.1 statement, the affidavits and exhibits submitted to the Court, and Plaintiffs' memorandum of law.

Dated: August 30, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 30, 2017.

/s/ David D. Jensen
David D. Jensen, Esq.